

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HILLARY WALLS,

Plaintiff,

v.

PIERCE COUNTY SHERIFF'S
DEPARTMENT, et al.,

Defendant.

Case No. C06-5679

ORDER TO SHOW CAUSE RE:
APPLICATION TO PROCEED *IN*
FORMA PAUPERIS

This matter comes before the Court on Plaintiff's filing of an application to proceed in forma pauperis and a civil rights complaint under 42 U.S.C. § 1983. To file a complaint and initiate legal proceedings plaintiff must pay a filing fee of \$350.00 or a proper application to proceed *in forma pauperis*.

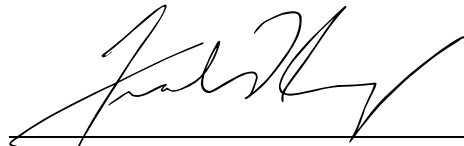
On November 20, 2006, the Clerk received Plaintiff's Civil Rights Complaint and a form document entitled "Declaration and Application to Proceed In Forma Pauperis by a Prisoner Bringing a Civil Rights Action Pursuant to 42 U.S.C. § 1983." Plaintiff's answer to the first question on the form document is that he is not currently incarcerated. The remainder of this first inquiry notes that if not incarcerated, than "DO NOT USE THIS FORM." Due to Plaintiff's use of a

1 form designed for the currently incarcerated, the Court is unable to make a proper determination
2 whether he is entitled to proceed *in forma pauperis*.

3 ACCORDINGLY, the Courts ORDERS:

- 4 (1) Plaintiff shall seek to cure the above deficiency by paying the full \$350.00 court filing
5 fee or provide the appropriate information to the Court no later than December 22,
6 2006. Failure to cure this deficiency by the above date shall be deemed a failure to
7 properly prosecute this matter and will result in dismissal on said date.

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9 DATED this 1st day of December, 2006.

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14 FRANKLIN D. BURGESS
15 UNITED STATES DISTRICT JUDGE
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